

REMARKS

In the final office action mailed 8/23/2006, claims 21-30 were allowed, and claims 1-20 were rejected under 35 USC § 101 and 35 USC § 112. Claims 1-20 have been amended herein to overcome the rejections under 35 USC § 101 and 35 USC § 112, as discussed in a telephone conference on 2/9/07 between examiner Hetul Patel and patent attorney Timothy Ellis. More specifically, herein the preambles of independent claims 1 and 20, and dependent claims 2-19, have been amended to recite "a storage medium", rather than "a tangible signal bearing medium", to overcome the rejections under 35 USC § 101 and 35 USC § 112, and to remove the basis for the corresponding objection to the specification.

In paragraph 9 of the office action the examiner stated: "Claims 1-20 would be allowable for the same reason(s) as stated above if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101 and 35 U.S.C. 112, 2nd paragraph, set forth in this Office action."

Because claims 1-20 are now in condition for allowance, and because claims 21 to 30 were previously allowed, all of the claims in the application (claims 1-30) are now in condition for allowance.

Support for the amendments can be found, for example, in the specification at page 9, at lines 12-16, which state (underlining added):

[T]he instructions may be stored on any of a variety of machine-readable data storage mediums or media, which may include, for example, a "hard drive", a RAID array, a RAMAC, a magnetic data storage diskette (such as a floppy disk), magnetic tape, digital optical tape, RAM, ROM, EPROM, EEPROM, flash memory, programmable logic

Conclusion

In conclusion, the applicant respectfully submits that the application is in condition for allowance, and the applicant requests reconsideration and allowance of the application. Any additional fees required in connection with this amendment that are not specifically provided for herewith are authorized to be charged to Deposit Account No. 09-0466 in the name of International Business Machines Corporation.

Respectfully submitted,

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